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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Howard L. Weiner et al.

Serial No.: 08/279,275

Art Unit: 1644

Filed: 07/22/1994

Examiner: Ewoldt, Gerald R.

For: TREATMENT OF AUTOIMMUNE DISEASES BY ORAL
ADMINISTRATION OF AUTOANTIGENS

**TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION**

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

December 31, 2003

Sir:

The undersigned is an attorney of record in the above-identified
patent application, of which Autoimmune, located at 1199 Madia Street,

Pasadena, CA 91103-1961, is the owner of the entire right, title, and interest in the above-identified patent application by assignment from the original assignee.

The assignment document is dated August 22, 1995 and was recorded by the U.S. Patent and Trademark Office on September 5, 1995, at Reel 7630, Frame 0432.

Autoimmune hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent Nos. 5,869,054 and 6,036,957 and hereby agrees that the granted patent shall be enforceable only during such period that the legal title to said granted patent shall be the same as the legal title to any U.S. Patent granted on the above-identified patent application, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

The statutory fee of \$110.00 for a disclaimer is enclosed.

Autoimmune does not disclaim any terminal part of any patent granted on the above-identified U.S. patent application prior to the expiration date of the full statutory term of U.S. Patent Nos. 5,869,054 and 6,036,957, in the event that U.S. Patent Nos. 5,869,054 and 6,036,957 later:

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- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a); or
- has all claims cancelled by a reexamination certificate.

Respectfully submitted,



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